

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re Charles Henning and )  
Katherine Henning, )  
 ) Case No. 13-21425-MDM  
 ) Chapter 13  
Debtors. )  
 )  
 )

**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

Charles and Katherine Henning (“Debtors”) through their counsel, Michael J. Maloney and the Watton Law Group, have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 East Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

Michael J. Maloney, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, WI 53202  
Telephone (414) 273-6858  
Facsimile (414) 273-6894

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Michael J. Maloney, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, WI 53202

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponents of this modification are the Debtors;
2. This is a request to modify a Chapter 13 Plan (Select A. or B.)
  - A.  post-confirmation;
  - B.  pre-confirmation (Select i. or ii.);
    - i.  Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
    - ii.  Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: **United Consumer Financial Services**

3. The Proponents wish to modify the Chapter Plan to do the following: allow the debtors to surrender their interest in the items secured by United Consumer Financial Services.
4. The reason(s) for the modification is/are: account for the Proof of Claim filed by United Consumer Financial Services.
5. Select A. or B.
  - A.  The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_ is modified as follows:
  - B.  The unconfirmed Chapter 13 Plan dated February 8, 2013 is modified as follows:

Debtors shall surrender their interest in the items secured by United Consumer Financial Services.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENTS OF THE MODIFICATION CERTIFY THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

## CERTIFICATION

Complete one of the certifications below:

1. I, Timothy H. Hassell, attorney for the debtors Charles and Katherine Henning, certify that

I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Timothy H. Hassell  
Counsel for the Debtors

May 16, 2013  
Date

WHEREFORE, the Proponents request that the court approve the modification to the Chapter 13 Plan as stated herein.

Date: May 16, 2013

/s/ Timothy H. Hassell, for  
Michael J. Watton, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, Wisconsin 53202

Attorney for Debtors

A copy of the foregoing filed electronically  
on May 16, 2013 with:

Clerk, U.S. Bankruptcy Court  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically  
if the party named accepts electronic service  
on May 16, 2013 to:

Office of the U.S. Trustee  
517 East Wisconsin Avenue, #430  
Milwaukee, WI 53202

Mary B. Grossman  
Chapter 13 Trustee  
PO Box 510920  
Milwaukee WI 53203

United Consumer Financial Services  
c/o Bass & Associates, P.C.  
3936 East Ft. Lowell Suite 200  
Tucson, AZ 85712

/s/Kaitlyn Oakley, Legal Assistant  
(Electronically file by)

Henning  
Case No. 13-21425-MDM